UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

GLENS FALLS NMS, LLC.,

Petitioner,

v.

UNITED STATES SMALL BUSINESS ADMINISTRATION OFFICE OF CAPITAL ACCESS,

Respondent.

LIA BREWSTER AUTOMOTIVE, LLC.,

Petitioner,

v.

UNITED STATES SMALL BUSINESS ADMINISTRATION OFFICE OF CAPITAL ACCESS,

Respondent.

WILBRAHAM IMPORT CARS, INC.,

Petitioner,

v.

UNITED STATES SMALL BUSINESS ADMINISTRATION OFFICE OF CAPITAL ACCESS,

Respondent.

STIPULATION

Case No.: 1:23-cv-01059-FJS-ATB (LEAD)

Civil Action No. 1:23-cv-01069-MAD-ML

Civil Action No. 1:23-cv-01077-BKS-ML

L & D MOTORS, INC.,

Petitioner,

v.

Civil Action No. 1:23-cv-01064-MAD-DJS

UNITED STATES SMALL BUSINESS ADMINISTRATION OFFICE OF CAPITAL ACCESS,

Respondent.

INFINITI OF ALBANY, INC.,

Petitioner,

v.

Civil Action No. 1:23-cv-01073-TJM-DJS

UNITED STATES SMALL BUSINESS ADMINISTRATION OFFICE OF CAPITAL ACCESS,

Respondent.

WHEATFIELD VILLAGE MOTORS, INC.,

Petitioner,

v.

Civil Action No. 5:23-cv-01067-GTS-ATB

UNITED STATES SMALL BUSINESS ADMINISTRATION OFFICE OF CAPITAL ACCESS,

Respondent.

LIA AUTOMOTIVE, LLC.,

Petitioner,

v.

Civil Action No. 1:23-cv-01066-LEK-DJS

UNITED STATES SMALL BUSINESS ADMINISTRATION OFFICE OF CAPITAL ACCESS,

Respondent.

DELMAR AUTO PLAZA, LTD.,

Petitioner,

v.

Civil Action No. 1:23-cv-01078-TJM-DJS

UNITED STATES SMALL BUSINESS ADMINISTRATION OFFICE OF CAPITAL ACCESS,

Respondent.

IT IS HEREBY STIPULATED AND AGREED, by and between the Parties hereto, by and through the undersigned, their respective legal counsel, as follows:

- 1. That Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, each Petitioner in this consolidated action hereby agrees to dismiss its respective case with prejudice.
- 2. The Respondents, through Assistant United States Attorney Adam J. Katz, consent. All parties agree to bear their own costs.
- 3. That Pursuant to Local Rule 41.3, counsels represent that no party hereto is an infant or incompetent.

IT IS HEREBY STIPULATED AND AGREED:

May <u>23</u> 2024

May 21, 2024

THE TOWNE LAW FIRM, P.C.

UNITED STATES

/s/Adam J. Katz

Adam J. Katz, Esq.

James T. Towne, Jr. Esq.

Attorneys for Petitioners

Bar Roll No.: 601203 500 New Karner Road

Albany, New York 12212-5072

Tel. No.: (518) 452-1800 James.towne@townelaw.com Bar Roll No.: 517894 Northern District of New York

Attorney for Defendants

445 Broadway, Room 218 Albany, New York 12207

Tel. No.: (518) 431-0247

IT IS SO ORDERED.

Date: May 29, 2024

Frederick J. Scullin, Jr.

Senior United States District Judge